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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOSE CHUNG LUO, Individually and on
Behalf of All Others Similarly Situated,

Plaintiffs,

v.

SPECTRUM PHARMACEUTICALS, INC.,
JOSEPH W. TURGEON, KURT A.
GUSTAFSON, FRANCOIS J. LEBEL, M.D.,
and THOMAS J. RIGA,

Defendants.

CASE NO.: 2:21-cv-01612-CDS-BNW

**STIPULATION AND ORDER
REGARDING BRIEFING
SCHEDULE FOR DEFENDANTS'
ANTICIPATED MOTION TO
DISMISS THE AMENDED
CONSOLIDATED CLASS ACTION
COMPLAINT**

Plaintiff International Trading Group, Inc. ("ITG" or "Plaintiff") and Defendants Spectrum Pharmaceuticals, Inc., Joseph W. Turgeon, Kurt A. Gustafson, Francois J. Lebel, M.D., and Thomas J. Riga (collectively, "Defendants," and together with Plaintiff, the "Parties"), by and through their undersigned counsel, hereby stipulate and agree as follows and jointly request that the Court enter the below Order approving this Stipulation:

STIPULATION AND [PROPOSED] ORDER

1 WHEREAS, on September 26, 2022, Lead Plaintiff ITG filed an Amended Consolidated
2 Class Action Complaint ("ACCAC") which differs substantially from the prior complaint.
3 Among other differences, the ACCAC: (1) is brought by a new plaintiff, ITG; (2) is more than
4 twice the length of the prior complaint; (3) has added allegations concerning a different drug
5 candidate, Poziotinib; (4) posits a different class period than the prior complaint; and (5) has
6 added a new individual defendant, Spectrum Chief Executive Officer Thomas J. Riga;

7 WHEREAS, Defendants have reviewed the ACCAC and intend to file a motion to
8 dismiss it (the "MTD");

9 WHEREAS, the Parties have met and conferred and, subject to Court approval, agree that
10 an extended briefing schedule is appropriate for the MTD given the new allegations in the
11 ACCAC, the complexity of the anticipated briefing, and the upcoming holiday season.
12 Specifically, the Parties agree to the following deadlines for the MTD briefing schedule:

13 By November 30, 2022, Defendants will file the MTD,

14 By January 27, 2023, Lead Plaintiff will file an opposition to the MTD, and

15 By February 27, 2023, Defendant will file a reply in support of the MTD;

16 WHEREAS, in her October 4, 2022 Minute Order, United States Magistrate Judge Brenda
17 Weksler ordered that stipulations and proposed orders by the Parties concerning the response date
18 to the ACCAC and related briefing of the MTD be bifurcated and submitted separately between
19 Judge Weksler and the District Court, respectfully;

20 WHEREAS, pursuant to the Parties' agreement and Judge Weksler's October 4, 2022
21 Minute Order, on October 7, 2022, Defendants submitted a separate Stipulation and Proposed
22 Order requesting that Defendants' deadline to file the MTD be set for November 30, 2022;

23 WHEREAS, on October 11, 2022, Judge Weksler adopted the proposed order and set the
24 deadline for the MTD as November 30, 2022; and

25 WHEREAS, pursuant to Judge Weksler's October 4, 2022 Minute Order, the Parties
26 request that the District Court adopt the other two deadlines included in their agreement.
27
28

STIPULATION AND [PROPOSED] ORDER

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED THAT:

1. Lead Plaintiff may file an opposition to the MTD on or before January 27, 2023;
and
2. Defendants may file a reply brief in further support of the MTD on or before
February 27, 2023.

Dated: October 14, 2022

CAMPBELL & WILLIAMS

/s/ J. Colby Williams

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Local Counsel for Lead Plaintiff

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IT IS SO ORDERED.


UNITED STATES DISTRICT JUDGE

DATED: October 19, 2022

CASE NO.: 2:21-cv-01612-CDS-BNW

STIPULATION AND [PROPOSED] ORDER